

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BORIS RACINE

Plaintiff,

v.

THE CITY OF NEW YORK, et. al.

Defendants.
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DOCKET NO. 23 Civ. 3202 (CM)

ORDER OF
DISMISSAL
PURSUANT TO FRCP
41(a)(2)

FRCP 41(a)(2) ORDER OF DISMISSAL

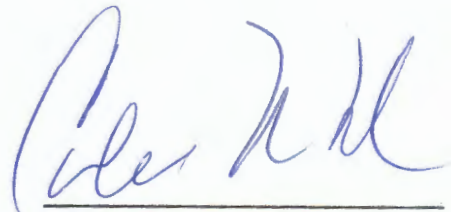
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MENT
TRONICALLY FILED
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FILED: 12/19/2023

Pursuant to Kane v. Mount Pleasant Cent. Sch. Dist., 80 F.4th 101 *, 2023 U.S. App. LEXIS 21529**

(<https://dockets.justia.com/docket/new-york/nysdce/7:2020cv07936/545048/>), Plaintiff's action is time barred and must be dismissed.

This dismissal is without prejudice and will not operate as an adjudication on the merits of any claims timely filed in New York State Court pursuant to Adult Survivors Act and CPLR 214-j and/or any related claims. Specifically, the matter pending in the New York State Bronx Supreme Court with index number 300158/2012E and any claims related to the Adult Survivors Act and CPLR 214-j are not affected by this Order of dismissal and this dismissal shall not be an adjudication on the merits of any timely filed New York State court claims.

Dated: December 15, 2023
New York, New York



Hon. Colleen McMahon
USDCJ

12/19/2023

*Close case - remove all open matters
from the court's calendar.*